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EXAMINER

NGUYEN, NAM V

ART UNIT	PAPER NUMBER
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2635

DATE MAILED: 05/19/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/929,101

Applicant(s)

PARK, JOON HYUNG

Examiner

Nam V Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This communication is in response to applicant's response to an Amendment A which is filed March 4, 2004.

An amendment to the claims 1-2 and 8-10 has been entered and made of record in the application of Park for a "network control method and apparatus for home appliance" filed August 15, 2001.

Claim 8 is cancelled. A new claim 11 is introduced.

Claims 1-7 and 9-11 are pending.

### ***Response to Arguments***

Applicant's amendment and arguments with respect to claims 1-7 and 9-11, filed March 4, 2004 have been fully considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-7, 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Irvin (US# 6,192,236) and in view of Vasell et al. (US# 6,496,575).

Referring to claims 1 and 11, Irvin discloses a method and an apparatus (30) (i.e. a telephone) for controlling a home appliance network (12) (i.e. a radio phone) having at least one or more home appliances (28) (i.e. an accessory device) (column 2 line 31 to column 3 line 15; see Figures 1-2) comprising:

An external communication means (30-34) (i.e. a telephone, radio network and radio tower), physically separate from a home including the home appliance network (12) (see Figure 1), for accepting an input of an operation control command (i.e. a tone signal generating keys) to control the operation of the home appliances (28) (column 5 line 50 to column 6 line 6; see Figures 1-2);

A radio communication network (i.e. a communication between a radio phone 12 and radio tower 34) for transmitting the operation control command input (i.e. a tone signal generating keys) to the home page (32) (i.e. a radio network) by dialing a cellular phone number and transmitting data representing the operation control command over a cellular network (34) (i.e. a radio tower) (column 5 line 50 to column 6 line 6; column 6 line 61 to column 7 line 12; see Figure 1); and

An internal communication means (12, 10 and 28) (i.e. a radio phone, remote control adaptor, and an accessory device), located within the home including the home appliance network (12) (column 5 lines 12 to 49; column 9 line 24 to 59; see Figures 2 and 6), the internal communication means (12) answering the dialed cellular phone number (column 5 lines 50 to 65;

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column 10 lines 12 to 24), receiving the data representing the operation control command, and transmitting the operation control command to a home appliance (28) of the home appliance network (12) (column 5 lines 50 to 65; column 10 lines 25 to 56; see Figures 1 and 7).

However, Irvin did not explicitly disclose wherein the external communication means includes a home page of a corresponding communication service provider through an Internet, and the home page receives the operation control command from a user;

In the same field of endeavor of information and controlled communication system, Vasell et al. teach that an external communication means (24, 26, 28, 32) includes a home page of a corresponding communication service provider through an Internet (26), and the home page receives the operation control command from a user (column 6 lines 45 to column 7 line 36; column 9 lines 62 to column 10 line 16; see Figures 2-3) in order to control and monitor plurality of home appliances remotely from a mobile phone.

One of ordinary skilled in the art recognizes the need to have a mobile phone controlling and monitoring plurality of home appliances through an Internet of Vasell et al. in cellular telephone receives control commands over a wide area cellular network utilizing a remote control adaptor of Irvin because Irvin suggests it is desired to provide that a user accesses to a telephone to input a command to control an accessory device by dialing the phone number of the mobile telephone (column 5 lines 50 to 65) and Vasell et al. teach that users operate a mobile telephone to control and monitor plurality of home appliances via intermediary communication network and an Internet (column 7 lines 21 to 36) in order to utilize information and communication technologies to reduce cost and increase flexible. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to have a

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mobile phone controlling and monitoring plurality of home appliances through an Internet of Vasell et al. in cellular telephone receives control commands over a wide area cellular network utilizing a remote control adaptor of Irvin with the motivation for doing so would have been to expand controlling and monitoring plurality of home appliances remotely from a mobile phone via an Internet to increase flexibility.

Referring to claim 2, Irvin and in view of Vasell et al. disclose the apparatus of claim 1, Vasell et al. disclose wherein the home page of the external communication means receives the operation control command from at least one of a first external communication equipment (30) (i.e. a remote terminal) accessing the home page through a cable communication network and a second external communication equipment (28) (i.e. a mobile phone) accessing the home page through a radio communication network or the cable communication network (column 7 lines 22 to 36; see Figure 2).

Referring to claim 3, Irvin and in view of Vasell et al. disclose the apparatus of claim 2, Irvin discloses wherein the cable communication network includes a telephone communication network (i.e. a wire line switched telephone network) (column 5 lines 50 to 65; see Figure 1);

Referring to claim 4, Irvin and in view of Vasell et al. disclose the apparatus of claim 2, Irvin discloses wherein the radio communication network (32) is a portable communication network (i.e. radio telephone network) (column 5 line 50 to 65; column 6 line 61 to column 7 line 12; see Figure 1);

Referring to claim 5, Irvin and in view of Vasell et al. disclose the apparatus of claim 2, Vasell et al. disclose wherein the first external communication equipment (30) includes at least one of a PC, a private terminal unit and a server (column 6 lines 45 to 65; see Figure 2).

Referring to claim 6, Irvin and in view of Vasell et al. disclose the apparatus of claim 2, Vasell et al. disclose wherein the second external communication equipment (28) is a portable personal communication terminal unit (i.e. mobile phone) (column 7 lines 21 to 36; see Figure 2)

Referring to claim 7, Irvin and in view of Vasell et al. disclose the apparatus of claim 1, Irvin discloses wherein the internal communication means (12) is a portable personal communication terminal unit (column 4 lines 23 to 26; column 5 lines 50 to 65; see Figures 1, 3-4).

Referring to claim 9, Irvin and in view of Vasell et al. disclose the method of claim 11, Vasell et al. disclose further including the steps of monitoring the operation state of the home appliance (12 to 18) (i.e. a thermostat) and providing the operation state to the internal communication equipment (10) (i.e. a local network) (column 7 lines 21 to 37; column 7 line 66 to column 8 line 46; see Figures 2-3); and transmitting the operation state from the internal communication equipment (10) to the external communication equipment (26 and 28) through the wireless network (24) (column 10 line 42 to column 11 line 39; see Figures 4-5).

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Irvin (US# 6,192,236) and in view of Vasell et al. (US# 6,496,575) as applied to claim 11 above, and in further view of Russ et al. (US# 6,061,604).

Referring to claim 10, Irvin and in view of Vasell et al. disclose the method of claim 11, however, Irvin and in view of Vasell et al. did not explicitly disclose further comprising the steps of:

Detecting at the home appliance whether there is any error and outputting the detected result to the internal communication equipment; and

Outputting at the internal communication equipment the detected result to the external communication equipment if the one accesses the other.

In the same field of endeavor of system for controlling remote external electronic devices, Russ et al. teach that detecting at the home appliance (25 to 65) whether there is any error and outputting the detected result to the internal communication equipment (15) (i.e. a controller) (see Figure 1-4) (column 5 lines 22 to 34; column 5 lines 56 to 62); and outputting at the internal communication equipment (15) the detected result to the external communication equipment (i.e. to utility company) if the one accesses the other (column 2 lines 14 to 21; column 2 lines 34 to 36; see Figure 2) in order to indicate the status of the appliances.

At the time the invention, it would have been obvious to a person of ordinary skill in the art to recognize the need to send an error detecting code from the controller to the external communication device of Russ et al. in the monitoring status of the appliances of Irvin and in view of Vasell et al. because an error detection result would improve the reliable communication



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and accurate control of the plurality of appliances that has been shown to be desirable in the remote control of accessory devices using a mobile telephone as a receiver of Irvin and in view of Vasell et al.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Johnson et al. (US# 6,580,950) disclose an Internet based home communications system.

Fitzgerald (US# 6,564,056) discloses an intelligent device controller.

Hayes et al. (US# 6,480,586) disclose a remote initiation of communications for control of multiple appliances by telephone line.

Sizer, II et al. (US# 6,021,324) disclose a system and apparatus for controlling an appliance situated within a premise using premises recording unit.

Homes (US# 5,875,395) disclose a secure equipment automation using a personal base station.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 703-305-3867. The examiner can normally be reached on Mon-Fri, 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 703-305-4704. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nam Nguyen  
May 12, 2004

*M*

  
BRIAN ZIMMERMAN  
PRIMARY EXAMINER